

When there appeared { Yeas 248
Nays 168

25.14 [Roll No. 66]
YEAS—248

Abercrombie Gilman
Ackerman Glickman
Andrews (ME) Gonzalez
Andrews (NJ) Gordon
Andrews (TX) Greenwood
Bacchus (FL) Gutierrez
Baesler Hall (OH)
Barca Hamburg
Barlow Hamilton
Barrett (WI) Harman
Becerra Hefner
Beilenson Hilliard
Bereuter Hinchey
Berman Hoagland
Bevil Hochbrueckner
Bilbray Horn
Bishop Houghton
Blackwell Hoyer
Boehlert Hughes
Bonior Inslee
Borski Jacobs
Boucher Jefferson
Brewster Johnson (CT)
Brooks Johnson (GA)
Browder Johnson (SD)
Brown (FL) Johnson, E. B.
Brown (OH) Johnston
Bryant Kaptur
Byrne Kennedy
Cantwell Kennelly
Cardin Kleczka
Carr Klein
Castle Klug
Chapman Kolbe
Clay Kopetski
Clayton Kreidler
Clement Lambert
Clyburn Lancaster
Coleman Lantos
Collins (MI) LaRocco
Condit Laughlin
Conyers Lazio
Cooper Lehman
Coppersmith Levin
Coyne Lewis (GA)
Cramer Lipinski
Danner Lloyd
Darden Long
de la Garza Lowey
Deal Machtley
DeFazio Maloney
DeLauro Mann
Dellums Margolies-
Derrick Mezvinsky
Deutsch Markey
Dicks Martinez
Dingell Matsui
Dixon Mazzoli
Dooley McCloskey
Durbin McCurdy
Edwards (CA) McDermott
Edwards (TX) McHale
Engel McKinney
English McNulty
Eshoo Meehan
Evans Menendez
Fawell Meyers
Fazio Mfume
Fields (LA) Miller (CA)
Filner Mineta
Fingerhut Minge
Flake Mink
Foglietta Moakley
Ford (MI) Molinari
Ford (TN) Montgomery
Frank (MA) Moran
Franks (CT) Morella
Frost Murtha
Furse Nadler
Gejdenson Neal (MA)
Gephardt Neal (NC)
Geren Oberstar
Gibbons Obey

NAYS—168

Allard Barrett (NE)
Applegate Bartlett
Archer Barton
Armey Bateman
Bachus (AL) Bentley
Baker (CA) Bilirakis
Baker (LA) Bliley
Ballenger Blute
Barcia Boehner

Olver Orton
Owens Pallone
Pastor Payne (NJ)
Payne (VA) Pelosi
Peterson (FL) Pickett
Pickle Porter
Pomeroy Price (NC)
Porter Pryce (OH)
Ramstad Rangel
Reed Reynolds
Richardson Ridge
Roemer Rose
Rostenkowski Roukema
Rowland Rowland
Roybal-Allard Roybal-Allard
Rush Sabo
Sanders Sangmeister
Sarpalious Sarpalious
Sawyer Schenk
Schenck Schroeder
Schumer Scott
Scott Serrano
Serrano Sharp
Shays Shays
Shepherd Shepherd
Sisisky Skaggs
Skaggs Slattery
Slaughter Slaughter
Smith (IA) Smith (IA)
Snowe Snowe
Spratt Spratt
Stark Stark
Stokes Stokes
Strickland Strickland
Studds Studds
Swett Swett
Swift Swift
Synar Synar
Tanner Tanner
Thompson Thompson
Thornton Thornton
Thurman Thurman
Torres Torres
Torricelli Torricelli
Towns Towns
Traficant Traficant
Unsoeld Unsoeld
Valentine Valentine
Velazquez Velazquez
Vento Vento
Visclosky Visclosky
Washington Washington
Waters Waters
Watt Watt
Waxman Waxman
Wheat Wheat
Whitten Whitten
Williams Williams
Wilson Wilson
Wise Wise
Woolsey Woolsey
Wyden Wyden
Wynn Wynn
Yates Yates
Zeliff Zeliff
Zimmer Zimmer

Coble Hutto
Collins (GA) Hyde
Combest Inglis
Costello Inhofe
Cox Istook
Crane Johnson, Sam
Crapo Kasich
Cunningham Kildee
DeLay Kim
Diaz-Balart King
Dickey Kingston
Doolittle Klink
Dornan Knollenberg
Dreier Kyl
Duncan LaFalce
Dunn Leach
Ehlers Levy
Emerson Lewis (CA)
Everett Lewis (FL)
Ewing Lightfoot
Fields (TX) Skelton
Fish Smith (MI)
Franks (NJ) Smith (NJ)
McCandless Smith (OR)
McCollum Smith (TX)
Gekas Solomon
Gilchrist McDade
Gillmor McHugh
Gingrich McNis
Goodlatte McKeon
Goodling McMillan
Goss Mica
Grams Miller (FL)
Gunderson Moorhead
Hall (TX) Murphy
Hancock Myers
Hansen Nussle
Hastert Ortiz
Hayes Oxley
Hefley Packard
Herger Parker
Hobson Paxon
Hoekstra Penny
Hoke Peterson (MN)
Holden Petri
Huffington Pombo
Hunter Portman
Hutchinson Poshard

NOT VOTING—17

Brown (CA) Green
Collins (IL) Hastings
Farr Kanjorski
Fowler Livingston
Gallo Manton
Grandy Meek

Michel
Mollohan
Natcher
Tucker
Weldon

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. STUDDS, announced that the yeas had it.

Mr. SMITH of New Jersey demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 244
Nays 171

25.15 [Roll No. 67]
AYES—244

Abercrombie Bonior
Ackerman Borski
Andrews (ME) Boucher
Andrews (NJ) Brewster
Andrews (TX) Brooks
Bacchus (FL) Browder
Baesler Brown (FL)
Barca Brown (OH)
Barlow Bryant
Barrett (WI) Byrne
Becerra Cantwell
Beilenson Cardin
Bereuter Carr
Berman Castle
Bevil Chapman
Bilbray Clay
Bishop Clayton
Blackwell Clement
Boehlert Clyburn

Coleman
Collins (MI)
Condit
Cooper
Coppersmith
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon

Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English
Eshoo
Evans
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrist
Gilman
Glickman
Gonzalez
Gordon
Greenwood
Gutierrez
Hamburg
Hamilton
Harman
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Horn
Houghton
Hoyer
Hughes
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kennedy
Kennelly
Kleczka
Klein
Klug
Kolbe
Kopetski
Kreidler
Lambert
Lancaster
Lantos

NOES—171

DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Ewing
Fields (TX)
Fish
Franks (NJ)
Bliley
Gallagher
Gekas
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Grams
Gunderson
Hall (OH)
Hall (TX)
Hansen
Hastert
Hayes
Hefley
Herger
Hobson
Hoekstra
Hoke
Holden

Roemer
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky
Skaggs
Slattery
Slaughter
Smith (IA)
Snowe
Spratt
Stark
Stokes
Strickland
Studds
Swett
Swift
Synar
Tanner
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

| | | |
|---------------|---------------|-------------|
| Miller (FL) | Regula | Spence |
| Mollohan | Roberts | Stearns |
| Moorhead | Rogers | Stenholm |
| Murphy | Rohrabacher | Stump |
| Myers | Ros-Lehtinen | Stupak |
| Nussle | Roth | Sundquist |
| Oberstar | Royce | Talent |
| Ortiz | Santorum | Tauzin |
| Oxley | Sarpalius | Taylor (MS) |
| Packard | Saxton | Taylor (NC) |
| Parker | Schaefer | Tejeda |
| Paxon | Schiff | Thomas (CA) |
| Penny | Sensenbrenner | Thomas (WY) |
| Peterson (MN) | Shaw | Upton |
| Petri | Shuster | Volkmer |
| Pombo | Skeen | Vucanovich |
| Portman | Skelton | Walker |
| Poshard | Smith (MI) | Walsh |
| Quillen | Smith (NJ) | Weldon |
| Quinn | Smith (OR) | Wolf |
| Rahall | Smith (TX) | Young (AK) |
| Ravenel | Solomon | Young (FL) |

NOT VOTING—18

| | | |
|--------------|-----------|------------|
| Brown (CA) | Grandy | Livingston |
| Collins (IL) | Green | Manton |
| Conyers | Hancock | Meek |
| Farr | Hastings | Michel |
| Fowler | Kanjorski | Natcher |
| Gallo | Kaptur | Tucker |

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

25.16 PESTICIDE SAFETY

On motion of Mr. DE LA GARZA, by unanimous consent, the Committee on Agriculture was discharged from further consideration of the bill of the Senate (S. 1913) to extend certain compliance dates for pesticide safety training and labeling requirements.

Mr. DE LA GARZA submitted the following amendment in the nature of a substitute which was agreed to:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. COMPLIANCE.

Until January 1, 1995, it shall not be a misuse under section 12(a)(2)(G) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136j(a)(2)(G)) to use any pesticide product in a manner inconsistent with the provisions of 40 CFR Part 170 that are (1) subject to the compliance date specified in 40 CFR section 170.5(c) and (2) incorporated by reference on the label or labeling of any pesticide product. This delay in compliance shall not apply to specific worker protection requirements that appear directly on the label or labeling of the pesticide product.

SEC. 2. REENTRY INTERVAL.

(a) IN GENERAL.—Notwithstanding the provisions of 40 CFR Part 170, until January 1, 1995, a worker may enter an area treated with a pesticide product during the restricted entry interval specified on the label of the pesticide product to perform tasks related to the production of agricultural plants if the agricultural employer ensures that—

(1) no hand labor activity is performed;

(2) no such entry is allowed for the first 4 hours following the end of the application of the pesticide product;

(3) no such entry is allowed until any inhalation exposure level listed on the product labeling has been reached; and

(4) the personal protective equipment specified on the product labeling for early entry is provided in clean and operating condition to the worker.

(b) PROTECTIVE EQUIPMENT FOR IRRIGATION WORK.—For irrigation work for which the only contact with treated surfaces is to the feet, lower legs, hands, and arms, the agricultural employer may provide coveralls, chemical resistant gloves, and chemical re-

sistant footwear instead of the personal protective equipment specified on the label.

SEC. 3. CROP ADVISORS

Notwithstanding the provisions of 40 CFR Part 170, until January 1, 1995, persons performing duties as crop advisors shall not be considered workers or handlers under 40 CFR Part 170 (or for the purposes of the pesticide label) and shall not be subject to the requirements of 40 CFR Part 170.

SEC. 4. SAFETY TRAINING.

(A) TRAINING MATERIALS.—Not later than September 23, 1994, the Administrator shall develop and distribute pesticide safety training materials that convey, at a minimum, the information referred in 40 CFR section 170.230(c)(4).

(b) IMPLEMENTATION.—The Administrator shall assist the appropriate Federal, State, and tribal agencies in implementing the pesticide safety training programs required under 40 CFR part 170.

SEC. 5. DEFINITIONS.

As used in this Act:

(1) The term "hand labor" means any agricultural activity performed by hand or with hand tools that causes a worker to have substantial contact with surfaces (such as plants, plant parts, or soil) that may contain pesticide residues. These activities include, but are not limited to, harvesting, detasseling, thinning, weeding, topping, planting, sucker removal, pruning, disbudding, roguing, and packing produce into containers in the field. The term "hand labor" shall not include operating, moving, or repairing irrigation or watering equipment or performing the tasks of crop advisors.

(2) The term "agricultural employer" means any person who hires or contracts for the services of workers, for any type of compensation, to perform activities related to the production of agricultural plants, or any person who is an owner of or is responsible for management or condition of an agricultural establishment that uses such workers.

(3) The term "worker" means any person, including a self-employed person, who is employed for any type of compensation and who is performing activities relating to the production of agricultural plants on an agricultural establishment. The term "worker" shall not include any person employed by a commercial pesticide handling establishment to perform tasks as a crop advisor.

(4) The term "Administrator" means the Administrator of the Environmental Protection Agency.

SEC. 6. EFFECTIVE PERIOD.

The provisions in this Act shall be effective until January 1, 1995.

When said bill, as amended, was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

25.17 FREEDOM OF ACCESS TO CLINICS

On motion of Mrs. SCHROEDER, pursuant to House Resolution 374, the bill of the Senate (S. 636) to amend the Public Health Service Act to permit individuals to have freedom of access to certain medical clinics and facilities, and for other purposes; was taken from the Speaker's table.

When said bill was considered and read twice.

Mrs. SCHROEDER, pursuant to House Resolution 374, moved to strike out all after the enacting clause and insert the provisions of H.R. 796, as passed by the House.

After debate,

Mrs. SCHROEDER moved the previous question on the amendment and the bill.

Mr. SMITH of New Jersey moved to lay on the table the motion to amend the Senate bill.

The question being put, viva voce,

Will the House lay on the table the motion to amend the Senate bill?

The SPEAKER pro tempore, Mr. STUDDS, announced that the nays had it.

Mr. SMITH of New Jersey demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the

| | |
|------------|-----|
| Yeas | 175 |
| Nays | 240 |

25.18

[Roll No. 68]

YEAS—175

| | | |
|--------------|--------------|---------------|
| Allard | Goodling | Packard |
| Applegate | Goss | Parker |
| Archer | Grams | Paxon |
| Armey | Gunderson | Penny |
| Bachus (AL) | Hall (OH) | Peterson (MN) |
| Baker (CA) | Hall (TX) | Petri |
| Baker (LA) | Hancock | Pombo |
| Ballenger | Hansen | Portman |
| Barcia | Hastert | Poshard |
| Barrett (NE) | Hayes | Quillen |
| Bartlett | Hefley | Quinn |
| Barton | Herger | Rahall |
| Bateman | Hobson | Ravenel |
| Bentley | Hoekstra | Regula |
| Bevill | Holten | Hoke |
| Bilirakis | Hunter | Roberts |
| Bliley | Hutchinson | Rogers |
| Blute | Hutto | Rohrabacher |
| Boehner | Hyde | Ros-Lehtinen |
| Bonilla | Inglis | Roth |
| Browder | Inhofe | Royce |
| Bunning | Inslee | Sangmeister |
| Burton | Istook | Santorum |
| Buyer | Johnson, Sam | Sarpalius |
| Callahan | Kaptur | Saxton |
| Calvert | Kasich | Schaefer |
| Camp | Kildee | Sensenbrenner |
| Canady | Kim | Shaw |
| Clinger | King | Shuster |
| Coble | Kingston | Skeen |
| Collins (GA) | Klink | Skelton |
| Combest | Knollenberg | Smith (MI) |
| Costello | Kyl | Smith (NJ) |
| Cox | LaFalce | Smith (OR) |
| Crane | Leach | Smith (TX) |
| Crapo | Levy | Solomon |
| Cunningham | Lewis (CA) | Spence |
| de la Garza | Lewis (FL) | Stearns |
| Deal | Lightfoot | Stenholm |
| DeLay | Linder | Stump |
| Diaz-Balart | Manzullo | Stupak |
| Dickey | McCandless | Sundquist |
| Doolittle | McCollum | Talent |
| Dornan | McCrery | Tauzin |
| Dreier | McDade | Taylor (MS) |
| Duncan | McHugh | Taylor (NC) |
| Dunn | McInnis | Tejeda |
| Ehlers | McKeon | Thomas (CA) |
| Emerson | McMillan | Thomas (WY) |
| Everett | McNulty | Upton |
| Ewing | Mica | Volkmer |
| Fields (TX) | Miller (FL) | Vucanovich |
| Fish | Mollohan | Walker |
| Gallegly | Moorhead | Walsh |
| Gekas | Myers | Weldon |
| Gilchrest | Nussle | Wolf |
| Gillmor | Oberstar | Young (AK) |
| Gingrich | Ortiz | Young (FL) |
| Goodlatte | | |